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Open Appropriation for CIA

The budgetary and appropriation process that applies to the Central Intelligence Agency parallels the procedures followed for other agencies in the Executive Branch, with certain exceptions authorized by law to protect intelligence sources and methods.

The United States Federal budget does not specifically identify funds for CIA. These funds, nevertheless, are contained in the totals submitted to Congress in that budget.

The gross amount requested by the President for CIA is communicated on a classified basis directly to the subcommittees of the House and Senate Appropriations Committees responsible for CIA matters. In addition, the specific details of CIA's annual budget are presented to these subcommittees and Agency witnesses testify in executive session on the budget request. The amount of the President's budget request that is eventually approved for CIA by these subcommittees is carried in the [redacted] but is not specifically identified.

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These procedures for handling the CIA budget and appropriations are consistent with and in furtherance of provisions of law setting forth the responsibilities of the Director of Central Intelligence. Section 6 of the Central Intelligence Agency Act of 1949, as amended (50 USCA 403g) states:

Sec. 6. In the interests of the security of the foreign intelligence activities of the United States and in order further to implement the proviso of section 403(d)(3) of this title that the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure, the Agency shall be exempted from the provisions of section 654 of Title 5, and the provisions of any other law which require the publication or disclosure of the organization, functions, names, official titles, salaries, or numbers of personnel employed by the Agency: Provided, That in furtherance of this section, the Director of the Bureau of the Budget shall make no reports to the Congress in connection with the Agency under section 947(b) of Title 5.

The CIA's budget consists of programs inextricably involved with intelligence sources and methods. The Senate Appropriations Subcommittee is strongly committed to protection of these intelligence sources and methods from unauthorized disclosure. This objective is wholly consistent with the principles of the Central Intelligence Agency Act of 1949 and any legislative change affecting intelligence sources and methods is deserving of the closest scrutiny.

It has been argued that the mere existence of an appropriation act for CIA, even as a single line item, would lead to public acceptance of the amount of Federal resources to be allocated to CIA. This desirable objective does not appear to be achievable without unacceptable diminution and degrading of the sources and methods of intelligence on which our country so heavily relies. Beyond doubt, public acceptance of the resources to be allocated to CIA necessarily involves public analysis of CIA's programs and resources requirements if the acceptance is to be based upon informed judgment. Without such public detail CIA's programs and requirements could neither be evaluated on their merits nor compared with other Federal programs with which they presumably would be competing for funds. Yet, providing such public detail would be not only in complete conflict with present law and practice but more importantly destructive of the very intelligence sources and methods that are to be funded.

It has also been argued that publicizing CIA's budget would not communicate useful information to potential adversaries. It is not known what portions, if any, of CIA's budget have been identified or accurately estimated by potential adversaries to whom this information would be useful against the interest of the United States. However, the precise total may aid in verifying estimates in hand and in filling in critical gaps in information.

Procedurally, an open appropriation would require committee recommendation and action by both Houses. Any difference between the Houses would require conference action. Each step in the legislative process subjects the overview subcommittees to the burden of justifying their action, as it is doubtful that a security curtain can be tightly closed once the total figure has been revealed.

Finally, an open appropriation for CIA means that funds for unforeseen contingencies (which are usually of an extremely sensitive matter--not susceptible to debate in the public forum) may require a supplemental appropriation bill. Thus the open budget could destroy existing flexibility and adaptability to meet critical situations.

In summary, an open appropriation for CIA is likely to precipitate overwhelming pressure for specific information on CIA costs and operations. The revelation of a gross figure for CIA is an invitation to questions and disclosures. Inexorably these disclosures will conflict with the existing congressional mandate--set forth in law--that the Director of Central Intelligence protect and preserve U.S. foreign intelligence sources and methods.